

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 99 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

SAKIRMIYA ISAKMIYA SHAIKH

Versus

STATE OF GUJARAT

Appearance:

MS SUBHADRA G PATEL for Petitioner
MR MR ANAND, PP with MR ND GOHIL, APP for
Respondent No. 1

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 03/02/97

ORAL JUDGEMENT

1. Rule. Service of rule waived by Mr.M.R. Anand,
Ld. P.P. with Mr. N.D. Gohil, Ld. A.P.P. for the State.

2. Heard. The report of the Deputy Superintendent of
Baroda Central Jail inter-alia indicates that while the
petitioner at different occasions of late surrendering

and undergoing jail sentence for the same, he had been granted 4 furlough during the year 1996, the last being the furlough between 1/10/1996 and 14/10/1996. It is stated in the report that the petitioner had reported in time so far as this last furlough is concerned.

3. In the facts and circumstances of the case, therefore, the concerned authority of the respondents is directed to reconsider the petitioner's case with regard to the furlough which has fallen due, bearing in mind the grant of last furlough granted during October 1996 and also bearing in mind the fact that the petitioner reported in time on the expiry of that furlough.

Rule made absolute in the aforesaid terms.

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